

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
Case No. 7:11-CV-00165-BO**

**FEDERAL DEPOSIT INSURANCE  
CORPORATION, as Receiver for  
COOPERATIVE BANK,**

**Plaintiff,**

**v.**

**FREDERICK WILLETTS, III, PAUL G.  
BURTON, JAMES D. HUNDLEY,  
HORACE THOMPSON KING, III,  
OTTIS RICHARD WRIGHT, JR.,  
RICHARD ALLEN RIPPY, FRANCIS  
PETER FENSEL, JR., DICKSON B.  
BRIDGER, and OTTO C. "BUDDY"  
BURRELL, JR.,**

**Defendants.**

**PLAINTIFF'S NOTICE  
OF APPEAL**

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NOTICE is hereby given that the Federal Deposit Insurance Corporation, as Receiver for Cooperative Bank ("FDIC-R"), plaintiff in the above-captioned cause, hereby appeals to the United States Court of Appeals for the Fourth Circuit from the final Judgment entered in this cause on September 23, 2014 (D.E. 126), and any other orders, findings, conclusions and holdings relating or contributing to the final judgment including, but not limited to, the Order entered in this cause on September 11, 2014 (D.E. 124), granting Defendants' Motion for Summary Judgment (D.E. 101), denying as moot Plaintiff's Motion for Partial Summary Judgment (D.E. 97), granting Defendants' Motion to Exclude Opinions of Harry Potter (D.E.95), and denying as moot Plaintiff's Sealed Motion to Strike the Declaration of Robert T. Gammill and to Exclude the Opinions Set Forth Therein (D.E. 117).

Title 12 of the United States Code, Section 1819(b)(2)(E)(4), provides that the FDIC-R  
“shall not be subject to payments of any filing fees in United States district courts or courts of  
appeals.”

This 2<sup>nd</sup> day of October, 2014.

Respectfully submitted,

/s/ Ruth Allen

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LR83.1 Counsel

/s/ Mary L. Wolff

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# CERTIFICATE OF SERVICE

I hereby certify that on this the 2<sup>nd</sup> day of October, 2014, I electronically filed the foregoing document under seal with the Clerk of the Court using the CM/ECF system and served the following electronically:

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/s/ Mary L. Wolff

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